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Patent  
Attorney Docket No.: 14.0123  
(WEST/0027)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Oyvind Hillesund

SERIAL NO. 09/787,723

FILED: July 2, 2001

FOR: Control System for Positioning  
Marine Seismic Streamers

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EXAMINER: Sotelo, Jesus D.

GROUP ART UNIT: 3617

Via Facsimile: 703.305.3597

Mail Stop Response  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

CERTIFICATE OF TRANSMISSION  
37 C.F.R. 1.8

I hereby certify that this correspondence is being facsimile  
transmitted to the Commissioner for Patents to the fax number  
indicated on the Office Action, to the attention of the named  
Examiner, on the date below:

10/14/03 Yolanda Charles  
Date Signature

Sir:

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Applicant files this Petition to Withdraw Holding of Abandonment in response to the Notice of Abandonment mailed on October 7, 2003. The Notice indicated that the present application was abandoned in view of "Applicant's failure to timely file a proper reply to the Office letter mailed on 26 February 2003." Applicant respectfully submits that such conclusion of abandonment is erroneous.

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The Office letter of 26 February 2003 indicated a shortened statutory reply period of three months, which period ended on 26 May 2003. Since the 26<sup>th</sup> of May was a Federal holiday (Memorial Day, the last Monday in May), the three-month reply period extended to the next business day, i.e., 27 May 2003. 37 C.F.R. § 1.7(a).

Applicant transmitted via facsimile on 27 May 2003 a "Response to Office Action Dated February 26, 2003" pursuant to 37 C.F.R. § 1.8(a). A copy of this Response and a transmittal cover sheet that accompanied the Response are enclosed herewith. Both the Response and the transmittal cover sheet bear a proper certificate of transmission.

The undersigned Attorney for Applicant hereby attests on a personal knowledge basis to the above-noted timely transmission of the Response. The timeliness of this transmission is furthermore supported by the enclosed copy of an activity report from the Attorney's facsimile machine that confirms the transmission.

Accordingly, Applicant requests that the above-noted Response be considered timely filed, and that the Notice of Abandonment be withdrawn.

As this Petition is being filed pursuant to 37 C.F.R. § 1.81(a), no fee is believed to be required. In the event, however, there are fees due in connection with the filing of this Petition, the Commissioner is hereby authorized to charge the Deposit Account No. 50-0714/WEST/0027 of the firm of the below-signed Attorney in the amount of any necessary fee.

Respectfully submitted,



Steven L. Christian  
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